

Remarks

Applicant replies to the final Office Action dated June 3, 2010, within two months. Claims 1-7, and 9-20 are pending in the application and the Examiner rejects claims 1-7, and 9-20. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these amendments. Reconsideration of this application is respectfully requested.

Objections to the Claims

The Examiner objects to claim 9 due to an informality. Applicant thanks the Examiner for identifying the informality and Applicant amends the claim to correct. Applicant believes the objection is now moot and should be reconsidered and withdrawn.

Rejection under 35 U.S.C. § 103(a)

The Examiner rejects claims 1-3, 5-7, 9-10, 12-14, and 16-20 under 35 U.S.C. 103(a) as being unpatentable over Janacek et al., U.S. Patent No. 6,684,248 ("Janacek"), in view of Poplawski et al., U.S. Publication No. 2003/0208441 ("Poplawski") in further view of Choubey et al., U.S. Patent No. 7,305,430 ("Choubey"). The Examiner rejects claims 4 and 11 under 35 U.S.C. 103(a) as allegedly being unpatentable over Janacek in view of Poplawski in further view of Choubey and in further view of Fung et al., U.S. Publication No. 2002/0055909 ("Fung"). Applicant respectfully disagrees with these rejections, but Applicant amends certain claims without prejudice or disclaimer in order to clarify the patentable aspects of certain claims and to expedite prosecution.

The Examiner states on pages 6 and 7 that "Janacek also does not explicitly disclose the message being stored for dynamic retrieval by the first intended recipient and maintaining, by the computer, the message in the common storage area of the database for dynamic retrieval by a second intended recipient." The Examiner asserts these limitations are disclosed by Choubey.

Choubey generally relates to a technique for reducing data storage requirements on mail servers (abstract). Specifically, in the system of Choubey, "a single copy of an incoming message addressed to multiple recipients is stored as a shared message on a server and the message size is determined" (abstract, emphasis added). Further, "if the required storage space is greater than the predetermined threshold value, then the mail server copies the email message

to a common storage space" (col. 4, lines 43-45, emphasis added). **Importantly, the system of Choubey is directed to a received email message.** The present claims and specification of the present application specifically recite the inherent security problems of e-mail transmissions (see at lease paragraph [0004]). Thus, Applicant asserts that the system of Choubey does not disclose or contemplate at least "wherein the primary message is not transmitted via email" and "maintaining, by the computer based system, the primary message in the common storage area of the database for dynamic access by a second intended recipient via a provided website," as recited in independent claim 1 (emphasis added) and similarly recited in independent claims 9 and 20.

Poplawski generally relates to "an electronic bill presentment and payment system and method" (abstract). Applicant has not found any disclosure in Poplawski disclosing or contemplating at least "wherein the primary message is not transmitted via email" and "maintaining, by the computer based system, the primary message in the common storage area of the database for dynamic access by a second intended recipient via a provided website," as recited in independent claim 1 (emphasis added) and similarly recited in independent claims 9 and 20.

Fung relates to "a technique for web site account and e-commerce management from a central location" (abstract). The Examiner cites Fung to teach the use of an identifier that is a physical characteristic of the user that is identifiable by a biometric identification system. Applicant has not found any disclosure in Fung disclosing or contemplating at least "wherein the primary message is not transmitted via email" and "maintaining, by the computer based system, the primary message in the common storage area of the database for dynamic access by a second intended recipient via a provided website," as recited in independent claim 1 (emphasis added) and similarly recited in independent claims 9 and 20.

Applicant further reiterates its arguments from the reply of March 31, 2010 with regards to cited references Janacek, Poplawski, and Fung. Thus, Applicant submits that Janacek, Poplawski, Fung and Choubey, whether considered individually or in combination, do not disclose or contemplate at least "wherein the primary message is not transmitted via email" and "maintaining, by the computer based system, the primary message in the common storage area of the database for dynamic access by a second intended recipient via a provided website," as recited in independent claim 1 (emphasis added) and similarly recited in independent claims 9

and 20. Therefore, Applicant submits that independent Claims 1, 9 and 20 are allowable over the cited art.

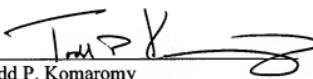
Dependent claims 2-7, and 10-19 variously depend from independent claims 1 and 9. Therefore, Applicant asserts that dependent claims 2-7, and 10-19 are patentable for at least the same reasons stated above for differentiating independent claims 1, 9 and 20, as well as in view of their own respective features. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of dependent claims 2-7, and 10-19.

When a phrase similar to "at least one of A, B, or C" or "at least one of A, B, and C" is used in the claims or specification, Applicant intends the phrase to mean any of the following: (1) at least one of A; (2) at least one of B; (3) at least one of C; (4) at least one of A and at least one of B; (5) at least one of B and at least one of C; (6) at least one of A and at least one of C; or (7) at least one of A, at least one of B, and at least one of C.

Applicant respectfully submits that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-2814. Applicant invites the Examiner to telephone the undersigned, if the Examiner has any questions regarding this Reply or the present application in general.

Respectfully submitted,

Dated: July 30, 2010

By: 
Todd P. Komaromy
Reg. No. 64,680

SNELL & WILMER L.L.P.
400 E. Van Buren
One Arizona Center
Phoenix, Arizona 85004
Phone: 602-382-6321
Fax: 602-382-6070
Email: tkomaromy@swlaw.com